

Appl. No. : 09/470,377  
Filed : December 22, 1999

## REMARKS

In response to the Office Action mailed March 22, 2005, Applicant has amended the application as above. No new matter is added by the amendments as discussed below. Applicant respectfully requests the entry of the amendment and reconsideration of the application in view of the amendments and the remarks set forth below.

### **Discussion of Claim Amendment**

Claims 3-6, 12-14 and 20 have been cancelled. Claim 21 has been amended. Upon the entry of the amendments, Claims 1-2, 7-11, 16-18 and 21-22 are pending in this application. The amendment to Claim 21 is supported, for example, by Figures 15 and 16. Therefore, the amendment to the claim does not introduce any new matter. Entry of the amendment is respectfully requested.

### **Discussion of Claim Rejections Under 35 U.S.C. § 102(b)**

The Examiner has rejected Claims 1-10, 12, 13, 16-18 and 20-22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,198,475 to Kunimatsu, et. al (hereinafter "Kunimatsu"). In order to expedite the prosecution of the application, Applicant has cancelled Claims 3-6, 12-14 and 20. Applicant respectfully submits that all pending claims are patentably distinguished from the prior art as discussed below.

#### **Rationale of 35 U.S.C. § 102**

"For a prior art reference to anticipate a claim under 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference." *Diversitech Corp. v. Century Steps, Inc.*, 850 F.ed 675, 677, 7 USPQ 2d 1315, 1317 (Fed. Cir. 1988).

### **Discussion of Patentability of Independent Claims 1, 7, 21 and 22**

Each of independent Claims 1 and 22 recites, among other things, "said image having *substantially the same geometrical shape* as the touch-operation guide shape formed with the ribs." In one embodiment of the invention, the image representing the touch-operation guide shape, displayed in the display device (see, for example, Figure 4), has substantially the same geometrical shape as the touch-operation guide shape formed in the touch panel (see, for

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example, Figure 5). It can be seen from Figures 4 and 5 that the image (displayed in the display device) has substantially the same geometrical shape as the touch-operation guide shape formed with the ribs (formed in the touch panel).

Kunimatsu does not disclose the above-recited feature of Claims 1 and 22. Kunimatsu discloses that the button display portions 28a correspond to the positions of the protruding brackets 4b and 4c. However, Kunimatsu, the images 28a do not have substantially the same geometrical shape as the brackets 4b and 4c. *See Figures 1 and 8, column 4, lines 33-35.* In view of the above, Kunimatsu does not disclose all of the limitations recited in Claims 1 and 22. Thus, Claims 1 and 22 are allowable over Kunimatsu

Independent Claim 7, recites, among other things, “plural *continuously* extending shapes extend *from one end side to another end side* on the touch-operation face.” Kunimatsu does not disclose the above-recited feature of Claim 7. Referring to Figures 1 and 9 of Kunimatsu, it is clear that a plurality of brackets (4a) are not continuously extending and do not extend from end side to another end side of the input pad (3). In view of the above, Kunimatsu does not disclose all of the limitations recited in Claim 7. Thus, Claim 7 is allowable over Kunimatsu

Independent Claim 21, as amended, recites, among other things, “at least one of the convex shape and the concave shape is *disposed at a center portion* serving as a reference for *determining a center position* on the touch-operation face.” Referring to Figures 1-3 of Kunimatsu, there is no convex shape or concave shape which is disposed at a center portion serving as a reference for determining a center position on the touch-operation face. That is, Kunimatsu does not disclose anything regarding an element which serves as a reference for determining a center position on the touch-operation face recited in amended Claim 21. In view of the above, Kunimatsu does not disclose all of the limitations recited in amended Claim 21. Thus, Claim 21 is allowable over Kunimatsu

In view of the above, Applicant respectfully submits that independent Claims 1, 7, 21 and 22 are allowable over the Kunimatsu reference since the prior reference lacks at least one limitation of each independent claim.

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**Discussion of Patentability of Dependent Claims**

Claims 2, 8-10 and 16-18 depend from their base Claims 1 or 7, and further define additional technical features of the present invention. In view of the patentability of their base claims, and in further view of the additional technical features, the dependent claims are patentable over the Kunimatsu reference.

**Discussion of Claim Rejection Under 35 U.S.C. § 103(a)**

The Examiner has rejected Claims 11 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Kunimatsu in view of U.S. Patent No. 4,565,460 to Kline (hereinafter "Kline"). As discussed above, Claim 14 has been cancelled.

Claim 11 includes all of the limitations of its base Claims 1 and 2, and further defines additional technical features of the present invention. Since Kline does not remedy the deficiency of Kunimatsu, and in view of the additional technical features of Claim 11, the dependent claim is patentable over the Kunimatsu reference.


**CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance. If the Examiner has any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the indicated telephone number.

Respectfully submitted,

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